

CHAPTER 2 PUBLIC SEWER SYSTEM

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200 ACCESS TO SEWERS

- 200.1 No person other than those employed in the Bureau of Sewer Services of the Department, while on duty, shall enter any public sewer or appurtenance of a public sewer without a written permit from the Director.
- 200.2 No person shall turn, lift, remove, raise, or tamper with any cover of any manhole, basin, inlet, or other appurtenance of any public sewer without a written permit from the Director.
- 200.3 No person shall cut, break, pierce, or tap any public sewer or appurtenance of a public sewer, or introduce any tube, pipe, trough, or conduit into any public sewer or public sewer appurtenance without a written permit from the Director.
- 200.4 Violation of any provision of this section shall be punishable, upon conviction, by a fine not to exceed three hundred dollars (\$300).

AUTHORITY: Unless otherwise noted, the authority for this chapter is the District of Columbia Public Works Act of 1954, approved May 18, 1954 (68 Stat. 101; D.C. Code §43-1607 *et seq.*); §§401 and 402 of Reorganization Plan No. 3 of 1967, effective August 11, 1967, filed August 11, 1967, D.C. Code Vol. 1 at 126 (1981 Ed.); §2(g) of the Water and Sewer Repair and Compensation Act of 1976, D.C. Law 1-98, D.C. Code §6-405, 23 DCR 4933 (January 21, 1977), Mayor's Order 77-82 dated May 6, 1977; §§IV(A) and V of Reorganization Plan No. 4 of 1983, 30 DCR 6428, effective March 2, 1984; Mayor's Order 91-176, 38 DCR 6821, dated October 24, 1991; the District of Columbia Water and Sewer Operations Amendment Act of 1990, effective June 13, 1990 (D.C. Law 8-136, D.C. Code §§43-1527 *et seq.*).

SOURCE: Article 3, §§14 through 16; and Article 30, §4 of the Police Regulations; 12 DCRR §§502.1, 502.2 (October 1981).

EDITOR'S NOTE: Transfer of functions - §219 of the "Water and Sewer Authority Establishment and Department of Public Works Reorganization Act of 1996," D.C. Law 11-111, effective April 18, 1996, transferred the functions of the Water and Sewer Utility Administration of the Department of Public Works to the independent District of Columbia Water and Sewer Authority.

201 TAMPERING AND OTHER MISUSE OF PUBLIC SEWERS

- 201.1 No person shall throw or deposit in or upon any public sewer or any trap, basin, inlet, grating, manhole, or other appurtenances of any public sewer in the District any sticks, stones, brick, coal, earth, gravel, dirt, mud, hay, straw, manure, rubbish, litter, sweepings, offal, vegetables, garbage, trees, shrubs, branches, twigs, leaves, papers, cinders, or refuse matter of any kind.
- 201.2 The provisions of §201.1 shall not apply to matter discharged through a house sewer into a public sewer.
- 201.3 No person shall make or maintain any connection with any public sewer or public sewer appurtenance which could allow any hot, suffocating, corrosive, inflammable, or explosive liquid, gas, vapor, substance, or material of any kind to be conveyed into that sewer or sewer appurtenance.
- 201.4 No person shall cause to enter or flow into any public sewer or sewer appurtenance any hot, corrosive, suffocating, explosive, or inflammable liquid, gas, vapor, substance, or material of any kind.
- 201.5 The provisions of §§201.3 and 201.4 shall not apply to water that is discharged from ordinary hot-water boilers or residences.
- 201.6 No person shall break or damage any appurtenance of any public sewer or part of a public sewer appurtenance.
- 201.7 No person shall obstruct, impede, the flow of any public sewer or cause that flow to be impeded or obstructed.
- 201.8 No person shall interfere with the free discharge or ventilation of a public sewer.
- 201.9 No person shall clog up any appurtenance of a public sewer.
- 201.10 Violation of any provision of this section shall be punishable, upon conviction, by fine not to exceed three hundred dollars (\$300).

SOURCE: Article 3, §§12, 17 through and 19, and Article 30, §4 of the Police Regulations (May 1981).

EDITOR'S NOTE: D.C. Law 6-76, Wastewater System Regulation Temporary Act of 1985, 32 DCR 6478 (November 15, 1985) repealed 21 DCMR §201. This Act expired on the 180th day following the effective date (January 25, 1986) of the law. D.C. Law 6-95, Wastewater System Regulation Amendment Act of 1985 superseded the provisions of D.C. Law 6-76.

202 MAINTENANCE AND REPAIR OF SEWER PIPES

- 202.1 This section and §203 are promulgated in accordance with D.C. Code §6-405 (1995 Repl. Vol.), under authority set forth in D.C. Code §6-405(g) (1995 Repl. Vol.).
- 202.2 The Department shall maintain all public sewer pipes from the street sewers to the property line.

- 202.3 If a portion of the structure (such as a porch, vault, or footing) projects beyond the property line, the Department shall maintain the sewer connection only to the outermost structural projection of the premises.
- 202.4 All pipes and appurtenances on private property shall be maintained by and at the expense of the property owner.
- 202.5 When action is necessary to expedite or facilitate the maintenance of a sewer connection, the Department may perform maintenance or repair work on private property if agreed to in advance by the property owner. The cost of the work, including overhead expenses, shall be paid by the property owner.
- 202.6 Excavations in public space made and left open by the Department for the use or convenience of registered plumbers employed by private owners or other parties for the repair of sewer pipes or other sewer appurtenances, shall be promptly reported to the police division or precinct with jurisdiction over the area of excavation by telephone, and followed by written confirmation.

SOURCE: Article 23, §7 of the Police Regulations; as amended by Final Rulemaking published at 24 DCR 4651 (December 2, 1977), incorporating text of Proposed Rulemaking published at 24 DCR 3060, 3061 (October 21, 1977); 12 DCRR §§503.4(a)-(b), (October 1981).

203 LEAKS IN SEWER PIPES

- 203.1 When there is a complaint of a leak in a building sewer connection, the Director shall determine if the leak is in public space.
- 203.2 If the Department determines that the leak is in public space, the leak shall be repaired at no cost to the property owner.
- 203.3 If the Department determines that the leak is not the responsibility of the District, the property owner shall be notified and shall be responsible for having the leak repaired by a registered master plumber at the owner's expense.
- 203.4 If a leaking sewer is a public nuisance or hazard, or the leak is damaging property, the water supply to the premises will be shut off immediately to abate the problem and shall remain shut-off until repairs are made.
- 203.5 If the property line and the building line are the same, and the leak is on public space, the Department shall insert the repaired service into the building. The owner shall be responsible for internal connection.

SOURCE: Final Rulemaking published at 24 DCR 4651 (December 2, 1977), incorporating text of Proposed Rulemaking published at 24 DCR 3060, 3062 (October 21, 1977); 12 DCRR §§503.4(e) - (g) (October 1981).

204 SEWER STOPPAGES

- 204.1 If there is a complaint regarding a sewer stoppage, the Director shall first ascertain if the main sewer is clear. If the main sewer is clear, the complaining party shall be so informed.

- 204.2 Any stoppage in the main sewer shall be relieved within a reasonable period of time.
- 204.3 If the main sewer is clear, the complaining party shall, at his or her own expense, employ a registered master plumber or sewer cleaner to clear the stoppage from the building to the main sewer.
- 204.4 A registered master plumber or sewer cleaner employed under §204.3 shall not excavate in public ways beyond the property line.
- 204.5 If the registered master plumber or sewer cleaner finds that the stoppage is located between the main sewer and property line, and that it cannot be cleared by power rodding or snaking, he or she shall inform the Director.
- 204.6 If the Director finds that the stoppage is in the building connection between the property line and the main sewer, and that the stoppage could not have been cleared by power rodding or snaking, the condition shall be corrected by the District.
- 204.7 If the Director finds that the stoppage is not due to the faulty condition of the building sewer connection between the property line and the main sewer, the property owner shall pay the D.C. Treasurer the amount of expense incurred by the District.
- 204.8 All stoppages in public space outside of the property line, whether relieved or not, shall be reported to the Director by the registered master plumber or sewer cleaner.

SOURCE: Final Rulemaking published at 24 DCR 4651 (December 2, 1977), incorporating text of Proposed Rulemaking published at 24 DCR 3060, 3061 (October 21, 1977); 12 DCRR §§503.4(c) and (d) (October 1981).

205 SANITARY SEWER SERVICE CHARGES

- 205.1 For the purposes of this chapter and D.C. Code §43-1607(3) (1990 Repl. Vol.), sources other than the District water supply system shall include, but are not limited to, ground water and cooling water.
- 205.2 Sewer service charges under D.C. Code §43-1607(3) (1990 Repl. Vol.) shall not be assessed when the discharge of wastewater is into a separate storm sewer which is totally isolated from the sanitary or combined sewer system of the District.

SOURCE: Final Rulemaking published at 25 DCR 1906 (August 18, 1978); 12 DCRR §500.6(c), (October 1981).

206 SEWAGE ALLOWANCES FOR INDUSTRIAL AND COMMERCIAL USERS

- 206.1 A commercial or industrial property may be eligible for a sewer allowance when the amount of water discharged into the District's sewer is less than the amount of water it receives from the District's water distribution system.

- 206.2 The following two (2) methods shall be used to determine the extent and amount of the sewer allowance:
- (a) Metered Allowance: A sewer allowance will be granted to industrial and commercial users based on the total measured amount of water supplied by the District that does not enter the District's sewer system; Provided, that the owner installs the necessary meters or devices, at no cost to the District, as indicated in this subsection:
 - (1) A separate meter is installed to measure the amount of water used that will not be discharged in the District's sewer system;
 - (2) There is a security device that prevents tapping into the water supply; and
 - (3) A device is installed that recirculates the water supply or prohibits water from being discharged into or entering the District's sewer system, including runoff and wind-blown water; and
 - (b) Flat Allowance: Commercial and industrial properties that have recycling cooling systems will be granted a sewer allowance based on the number of gallons of water circulated per minute.
- 206.3 The flat allowance shall be subtracted from the sewer service charge only during the period May 15th to October 15th of each year.
- 206.4 To extend the period for the flat allowance, property owners shall submit a written request and justification. The request must be approved by the Chief before it can go into effect.
- 206.5 Upon receipt of a written request for a sewer allowance, the Chief shall conduct an audit of the property to determine whether and the conditions under which, the property is eligible for a sewer allowance.
- 206.6 Owners of commercial and industrial properties shall be notified in writing whether the properties are eligible for a sewer allowance and the amount of any sewer allowance.
- 206.7 Commercial and industrial property owners shall allow the Bureau access to audit water use and to verify that the amount is not being discharged into the District's sewer system.
- 206.8 During any period when the owner or occupant of eligible property fails to permit an audit under this section, all privileges associated with the sewer allowance shall be forfeited and the charges for sewer service shall be based on the full amount of water received by the property from the District water supply system.

SOURCE: Final Rulemaking published at 40 DCR 1300, 1301 (February 12, 1993).

HISTORICAL NOTE: Prior to February 12, 1993, the Department of Environmental Services published Final Rulemaking at 29 DCR 1822 (April 30, 1982); 12 DCRR §§500.1(l)-(m), 504.1(a)-(b) (October 1981).

**207 SANITARY SEWER SERVICE CHARGE FOR GROUND WATER:
IMPROVED SITES AND CONSTRUCTION SITES**

- 207.1 The provisions of this section shall apply to all improved real property and all construction sites with the District of Columbia.
- 207.2 The Department shall identify those properties that discharge ground water into the District's sewer system.
- 207.3 The Department shall give the owners or occupants of the properties written notification that they will be required to do the following:
- (a) Pay sanitary sewer service charges for ground water discharged into the District's sewer system; and
 - (b) Install a meter or meters, at no cost to the District, to measure ground water discharged within sixty (60) days of the date of the notice.
- 207.4 The owners of the real property shall install the number of meters needed to measure the discharge of ground water within sixty (60) days of written notification by the Department.
- 207.5 The Department shall conduct an on-site inspection at the end of the sixty (60) day period to verify that the required number of meters have been properly installed.
- 207.6 After the Department has confirmed proper installation of the required meters, the Department shall establish an account, separate from the water and sewer service charge account, for the purpose of billing the owner or occupant for ground water discharged into the District's sewer system.
- 207.7 The meter or meters measuring ground water discharged into the District's sewer system, shall be read periodically and a bill for those charges shall be rendered.
- 207.8 The Department shall provide the owner or occupant with written notice of a change in the billing cycle at least thirty (30) days before the beginning of the new cycle.
- 207.9 If at any time a meter fails to register correctly or bears evidence of tampering, as determined by the Department, the sanitary sewer service charge shall be based on the average previous measured discharge of ground water for three (3) previous billing cycles.
- 207.10 Upon an owner or occupant's failure to pay the ground water sanitary sewer service charges or to install and maintain the required meters within the allotted time, the Department may do the following:
- (a) Terminate the water supply to the property;
 - (b) Refuse to establish a water and sewer account for the property;

- (c) Refuse to supply water and sewer service to the property; or
- (d) Request that the building permit for the property be rescinded and not reinstated until the charges are paid in full or the necessary meters are installed and maintained.

- 207.11 The Department may inspect the improved property or the construction site to ensure that the required number of meters are properly installed and maintained.
- 207.12 Prior to removing the required meters from the improved property or construction site, the owner shall advise the Department and request a final reading.
- 207.13 The Department shall read the meters servicing the improved property or construction site and provide the owner with a final statement of account.
- 207.14 If the meter or meters are removed before the Department obtains a final reading, the ground water sewer service charge shall be based on the average previous consumption for the period of the installation.

SOURCE: Final Rulemaking published at 40 DCR 1300, 1302 (February 12, 1993).

HISTORICAL NOTE: Prior to February 12, 1993, the Department of Environmental Services published Final Rulemaking at 29 DCR 1822, 1823 (April 30, 1982); 12 DCRR §504.3(a)-(e) (October 1981).

208 [DELETED] 40 DCR 1300, 1304 (February 12, 1993).

209 ON-SITE AUDITS

- 209.1 The Chief may conduct on-site audits of property for purposes of implementing §§206 through 208.
- 209.2 During any period when the owner or occupant of eligible property fails to permit an audit under this section, all privileges associated with the sewage allowance shall be forfeited and the charges for sewer service shall be based on the full amount of water received by the property from the District water distribution system.

SOURCE: Final Rulemaking published at 29 DCR 1822, 1824 (April 30, 1982); 12 DCRR §§504.5(a) and (b) (October 1981).

299 DEFINITIONS

- 299.1 When used in this chapter, the following words and phrases shall have the meanings ascribed:

Administrator - the Administrator of the Water and Sewer Utility Administration or his or her lawful agent, representative, or designee.

Bureau - the Bureau of Water Measurement and Billing.

Chief - the Chief of the Bureau of Water Measurement and Billing or his or her lawful agent, representative or designee.

Ground Water - water existing beneath the earth in confined or unconfined aquifers.

Improved real property - any real property with an existing structure or paved surface.

Sewer allowance - the discounted rate granted to account holders for the quantity of water supplied from the District water distribution system during a normal billing cycle and not discharged in District sanitary or combined sewer system.

Sewer system - pipes, structures, catch basins and other appurtenances which are used to collect and transport wastewater to a treatment plant.

Utility - the Water and Sewer Utility Administration.

299.2 The definitions listed in §199 shall be incorporated by reference in this section.

SOURCE: Final Rulemaking published at 40 DCR 1300, 1304 (February 12, 1993).